



# UK Artists - Their Approaches To Copyright and Creative Commons

## **A Survey of Copyright, Creative Commons and the Arts in the UK**

By: OpenBusiness.cc

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# UK Artists - Their Approaches To Copyright and Creative Commons: A Survey of Copyright, Creative Commons and the Arts in the UK

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## 1. Executive Summary

In theory [copyright represents] the ability to make a living off my work. In practise [it represents] the threat of myself or my children not being able to express themselves without fear of the rich and powerful invoking their copyrights to silence us.

Author

This report is the result of six months of research into artists' attitudes towards the interrelationships between copyright, creativity and alternative licensing practices, in particular Creative Commons (CC).

Though CC is still used by an avant-garde of mainly rather young artists, more than 170,000 websites in the UK make use of such licences. These include arts projects at the Victoria and Albert Museum<sup>1</sup>, Tate Gallery<sup>2</sup> and, for example, Channel 4's 'Four Docs' website<sup>3</sup>. Individual artists use CC licences on their own websites or upload images of their work onto websites such as Flickr<sup>4</sup>, which is an online photographic archive that is intended to facilitate the sharing of images.

Obviously the use of such licences depends heavily on the context and the art form. The digital reproduction of fine arts generally (e.g. painting, printmaking or sculpture) is of poorer quality than the original product, making CC less relevant to their work. However musicians, film makers, authors, graphic designers and new media artists are all heavily affected by copyright as duplicates of their work can easily be made at very high quality.

The survey was funded by Arts Council England and conducted as part of the OpenBusiness.cc initiative, which investigates links between copyright and new modes of creative production. The project explores, amongst other issues, the use of CC licences, innovative business models and the growth of 'open culture' in Brazil, South Africa as well as in the UK. OpenBusiness is also supported by the Open Society Institute and the International Development Research Centre in Canada<sup>5</sup>.

The focus of this study is:

- An investigation into how artists who are working in digital environments view copyright which structures many commercial

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<sup>1</sup> See <http://copy-art.net/>

<sup>2</sup> See <http://opencongress.omweb.org/modules/wakka/HomePage>

<sup>3</sup> See <http://www.channel4.com/fourdocs/>

<sup>4</sup> See <http://www.flickr.com/>

<sup>5</sup> Partners in the initiative are Center for Technology & Sociedade (Centro de Tecnologia & Sociedade) Escola de Direito da Fundação Getulio Vargas – [www.fgv.br](http://www.fgv.br); Creative Commons South Africa, Graduate School of Public and Development Management – <http://za.creativecommons.org/>; to find out more about the initiative visit <http://www.openbusiness.cc>

relationships, but which can prohibit sharing, copying and the adaptation of existing artistic works.

- An analysis of why some artists use CC licences, which can facilitate sharing, copying and – depending on the licence used – adaptation for commercial or non-commercial purposes.

The survey combined qualitative and quantitative data to examine the motivations behind artistic use of CC licences in the arts, and the impact on artists of using such licences.

Potential respondents were contacted through mailing lists of Creative Commons UK and the Arts Council. In total 83 artists were interviewed via an online survey, telephone interviews and a focus group (see appendix 1 for a copy of the survey).

Results showed that 96% of the artists interviewed displayed a negative inclination towards aspects of current copyright laws mostly describing it as too complex and one sided.

Responses varied from ‘copyright helps the rich’ to more ambivalent arguments, such as copyright is a ‘double edged sword,’ recognising its intention to protect but also noting the debilitating results of this protection in terms of disabling re-use of existing images or other creative content. All the artists surveyed also used conventional copyright licences.

Of the 45 artists completing the online survey, not one subscribed to the view that copyright was a spur to creativity or was helpful in securing income.

When asked why they use CC, and presented with five choices ranging from economic, political, practical, social fashion or other reasons, 50% of artists surveyed opted for ‘practical’ as the reason for use.

The results point to a clear reason why some artists are using CC licences i.e. they find these useful within the digital environment as practical tools for remixing and adaptation which are staple elements of online arts practice.

Simultaneously it can be concluded that reasons for using CC are rooted in the desire to exploit network effects and to better market creative work. Evidence for this view is seen particularly in the phone interviews that were conducted. For example a DJ and composer said:

CC means [...] that I can distribute my productions over the web without fear of getting ripped off, whilst still being able to avoid the business structures that leech off genuine creativity.

It is clear that for many digital artists, remixing is core to the vitality, progression and charm of their work. Several participants expressly stated that they also wanted their own work to be remixed.

Evolving arts practices in digital media often involve re-use and remix of materials. However artists can sometimes be cautious about reuse of their work.

While it is not surprising that users of CC licences might be ambivalent towards standard copyright regimes it is noteworthy that many seem to feel that copyright contradicts their understanding of the purpose of their work. They intend to use CC because it 'keeps their work free'. By 'free' they do not necessarily mean that it can be adapted, or taken out of the original context, but that it can move freely through the internet and increase attention for their work.

Conclusion:

From our research we can conclude that

- a) many artists are not sufficiently aware of how copyright works
- b) they perceive it as too complex and costly
- c) they need simpler and more appropriate guidelines that might be provided not only by law, but also through funding and policy bodies such as Arts Council England.

### **1a) Disclaimer**

This survey focused on UK artists and creative individuals working across different art forms who are using Creative Commons licences. It should not therefore be taken to be representative of the whole spectrum of artists and artistic practice in the UK. Artists in the definition used for this survey included such diverse creative practices as web design, authorship, blogging and remixing of music. Artists using Creative Commons are generally often younger, computer literate and more sophisticated users of the internet than a general sample of creative individuals.

## **2. Introduction**

It is clear that understanding of the role of copyright is undergoing some kind of sea change today. The changes are occurring in politics, the economy and law, as well as very visible in the domain of culture.<sup>6</sup>

Possibilities for creative expression change as new methods or practices are discovered, refined and gain popularity. Previous modes such as sculpture and painting remain while newer modes such as graffiti, turntablism, remixing and sampling evolve. But these divergent means of creative expression are often disadvantaged by historical legacies and legal systems that favour the more traditional methods of creative expression. This is a growing perception in academic circles, but how do those engaged with developing artistic practices perceive their treatment by the law?

Purporting to balance the competing interests of artists, publishers and the general public, copyright is supposed to regulate the market in creative expression. This scheme of regulation has recently faced intense scrutiny, particularly with reference to digital technologies and the rise of online distribution for creative work. The legal tensions may be partially explained by the Romantic notion of the single creator, whose work is original and not dependent on context, inspiration and copying. It can be argued that creativity lacks a representative, contemporary model of creative production. Under this model, 'original' works are characterised as discrete, free-standing objects, generated by artists who exist in isolation from their social, political and cultural surroundings. The post-modern paradigm of creativity is incongruous with this model; artists today typically and self-consciously use, process and re-use their information environment in producing new works, whether in an explicit dialogue or as part of a more subtle or perhaps even hidden critique.

This legal tradition poses difficulties for creators who want to stay within the law and work with digital technologies. For example, documentary filmmakers routinely require the use of pre-existing materials, which are protected by copyright (such as stock footage or an image from a newspaper archive) to tell their story. A filmmaker may very easily accidentally capture legally protected material in their footage, since our cultural environment is saturated with protected materials – songs, films, photographs, artwork, even signs and logos. Before a documentary can be legally distributed, it is necessary to secure permission for use of any protected materials, whether use of the song or image in question is apparent or merely incidental.

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<sup>6</sup> British Council (Rosemary Bechler), 'Unbounded Freedom, 2006.

Similarly for musicians, from classical and folk, to jazz and blues, rock and roll, hip hop, jungle and mash-ups, the most vibrant traditions involve borrowing, recombining and building from pre-existing structures. As technology has progressed, artists have learned to use samples as raw materials – code – for new and different musical works. Yet this practice, despite its artistic and commercial value, is not adequately supported by the dominant legal culture. Reuse involves obtaining permissions, which can be an expensive and time consuming process.

Creative Commons<sup>7</sup>, an organisation that administers a series of flexible copyright licences, remedies some of the difficulties faced by digital artists. The organisation started in the US in 2001, led by a coalition of IP and internet-specialist academics. Creative Commons, which creates licences tailored to the specific needs of individual countries, now operates in over 50 countries around the world, with millions of websites applying the licences to their distributed works. These licences are freely available and their terms specifically encourage sharing of digital works by authorising subsequent distribution. Artists can either authorise or restrict the production of derivative works and the use of their work within the commercial domain. There is a growing range of licences on offer, tailored to fit digital artists' requirements. Permissions are not required for non-commercial projects, although commercial projects can of course be negotiated.

There is increasing recognition of the variety of uses for 'open' licences, from digital art works to publicly funded information goods<sup>8</sup>. By shifting the emphasis from maximising profit via legally enforceable monopoly rights towards a combination of proper accreditation mixed with shared ownership, copyright can be applied in a way that seems to offer greater value to the public.

'There are many advantages to using CC including: ease of use; widespread adoption leading to familiarity; choices offering flexibility; human-readable, machine-readable and symbolic representations of the licences; sharing a common licence with many others; a direct link between the resource and its licence.'<sup>9</sup>

Given the potential for new forms of creative expression resulting from developing digital technologies, it is vital to understand the reactions of practitioners.

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<sup>7</sup> <http://creativecommons.org.uk/>

<sup>8</sup> The BBC, the BFI, Channel 4 and the Open University set up the Creative Archive Licence Group (<http://creativearchive.bbc.co.uk>) in April 2005 to make their content available for download under the terms of the Creative Archive Licence, a single, shared user licence scheme for the downloading of moving images, audio and stills. Membership is available to major national collections, broadcasters and commercial organisations who wish to share content with the public on the same terms, are committed to the process of improving the service to the user and can meet monthly.

<sup>9</sup> Intrallect and AHRC, P4, 'The Common Information Environment and CC', 2005

### 3. Quantitative Data

What artists need to see before they can feel confident about the [CC] licences are examples of other[s] taking the licences; incorporating them into their practices.

#### Musician

The impact of the CC project can be measured by the proliferation of its licences. Hence knowing how many and what type of licences are used is a crucial data point in understanding how Creative Commons is being used. The CC licences build upon 'the "all rights reserved" concept of traditional copyright to offer a voluntary "some rights reserved" approach'<sup>10</sup>, and offer a variety of conditions, which can be used in different combinations.

- Attribution: 'You let others copy, distribute, display, and perform your copyrighted work — and derivative works based upon it — but only if they give credit the way you request.'
- Share-alike: 'You allow others to distribute derivative works only under a licence identical to the licence that governs your work.'
- No Derivatives: 'You let others copy, distribute, display, and perform only verbatim copies of your work, not derivative works based upon it.'
- Non-Commercial: 'You let others copy, distribute, display, and perform your work — and derivative works based upon it — but for noncommercial purposes only'<sup>11</sup>

The data below is taken from a statistics generator<sup>12</sup>, which was released by OpenBusiness on 17<sup>th</sup> of March 2006. The statistics generator queries Yahoo! for back-links to CC licences.

To be licensed under a CC licence, content such as text, pictures, and graphics, needs to link to a licence that is hosted at [www.creativecommons.org](http://www.creativecommons.org). The number of back-links gives some insight into the amount of CC-licensed works available on the Internet.

A weakness of this tool is that it relies heavily on the effectiveness of the Yahoo! search-engine. When Yahoo! change the way their search-engine works this is reflected in the number of licences returned by this script. This results in two, as of yet, unexplained phenomena. Firstly the number of licences can vary from day to day. Secondly, it has been observed that Yahoo! seems to sometimes return slightly different numbers depending on the IP-address of the requesting computer. One should therefore realise that a margin of error must be assumed when analysing these statistics.

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<sup>10</sup> [www.creativecommons.org](http://www.creativecommons.org)

<sup>11</sup> <http://creativecommons.org/about/licenses/>

<sup>12</sup> [www.openbusiness.cc/cc\\_stat/](http://www.openbusiness.cc/cc_stat/)

**Figure 1: Statistics Generator Result**

Licence	Number	Relative
<b>Version 2.0</b>		
Attribution	29385	17.01%
Attribution, Share-alike	22068	12.77%
Attribution, No Derivatives	6388	3.7%
Attribution, Non-Commercial	62568	1.43%
Attribution, Non-Commercial, Share-alike	29600	36.21%
Attribution, Non-Commercial, No Derivatives	48894	44.49%
<b>Total 2.0</b>	<b>172796</b>	
<b>Grand Total</b>	<b>172796</b>	

The data above indicates that as of October 2006:

- nearly 50,000 back-links from the UK exist for works licensed under Attribution, Non-Commercial, No Derivatives (BY-NC-ND 2.0: a licence allowing copying, but not the production of derivatives).
- nearly 63,000 back-links from the UK exist for works licensed under Attribution, Non-Commercial, Share-alike (BY-NC-SA 2.0: a licence allowing derivatives).

What is remarkable about this is that in other jurisdictions many more sites are licensed (e.g. in the USA) under Share-Alike licences that allow derivative uses of the work, than under licences which prohibit the creation of derived works. However half of the UK survey respondents report that they integrate CC licensed works into their creations. This is interesting when compared to some of the qualitative responses.

[I]n an age of digital reproduction it makes no sense to me to limit access to art and information [...] I think this stuff has a lot of potential to revolutionise the way people think about commodities and property. But I don't think it will.

Musician

It is noteworthy that many UK creators using CC share the view that there is an inevitability that creative work will be sampled and remixed in the digital world, but have none-the-less opted to use the more cautious Attribution, Non-Commercial, No Derivatives licence (BY-NC-ND), which stifles the change that they themselves believe to be inevitable.

This indicates a possible confusion between evolving working practices involving re-use and remix of materials and the individual caution that their own work should not be altered. This leads to a perhaps more striking conundrum: choosing a licence expressly prohibiting derivatives is interpreted

as allowing no re-use at all. But this view actually exceeds established fair dealing exceptions and underlines the confusion many artists face in making complex legal decisions. Individual perceptions of how their own work should be treated makes some artists choose a licence that contradicts their own working practices, while fostering the wrong perception that no alterations can be made; exceeding fair dealing while exerting a chilling effect on artistic creativity.

The overall number of CC licensed works captured by the OpenBusiness Creative Commons Statistics Generator is relatively low compared with Germany or France. The most likely explanation for this is that many CC users in the UK are using the generic US licence and have not felt the need to use a jurisdiction specific licence, or do not realise that country specific licences protect their work worldwide

## **4. Survey Results**

For this report the majority of the quantitative data was collected through multiple-choice questions in an online survey. Although multiple-choice questions are prescriptive and limit the range of responses open to contributors, they allow a basic understanding of the response group as a whole and provide valuable insight into the ideological clusters with which CC users can be aligned.

Qualitative responses, exploring in detail individual artists' approach to copyright and CC in the UK, have been obtained through open-ended questions in an interactive online survey, a series of phone interviews and a focus group hosted at the Young Foundation in London, UK<sup>13</sup>.

This part of the report has been divided into 5 sections:

- 4a) Respondents
- 4b) Audience
- 4c) Collaboration
- 4d) Creative Commons Adoption
- 4e) Comprehension of Copyright and Creative Commons.

### **4a) Respondents**

As a young photographer it's important for me to be noticed. I use the internet a lot and publish most of my work there under CC. It's practical and helps me to build my reputation.  
Photographer

A total of 83 creators responded to calls for participation: there were 45

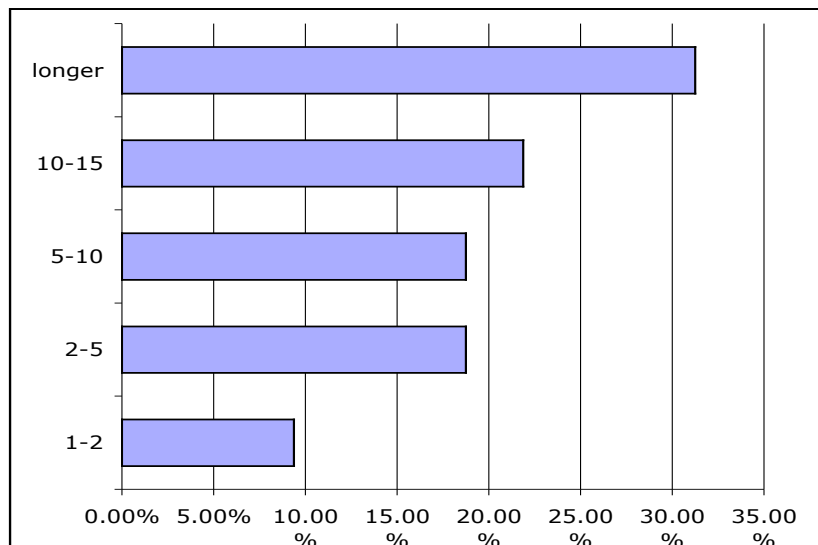
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<sup>13</sup> [www.youngfoundation.org.uk](http://www.youngfoundation.org.uk)

responses to the online survey, 18 responses to the phone interviews and 20 individuals attended the focus group. Most online respondents believed that they were very competent using computers: 25% described themselves as 'skilled' and 40% as 'expert'. 85% of phone interviewees describe themselves as 'competent' computer users. Attendees to the focus group were most varied in computer literacy. Although all of them used the internet on a daily basis many described their skills as 'poor'.

The vast majority of respondents were male and 60% were between the ages of 20-35. 35% were older. The percentage of respondents between 20-35 increases when the results of the phone interviews and focus group are considered. The chart below illustrates for how long participants have been creating artistic work. Taking into account the relative youth of respondents, the chart certainly indicates that, for many, the production of art is an interest or passion as opposed to a career choice. Their understanding of the artistic nature of their creative endeavours is not limited by ideas of professionalism, remuneration or public recognition. This assumption is supported by the fact that for three quarters of respondents, artistic work has never been their main source of income. This trend is investigated below in section 4e) 'Comprehension of Copyright and CC'.

**Figure 2: Responses to the question 'How long have you been producing artistic works?'**\*



*\*The vertical axis shows years spent creating artistic work and the horizontal axis indicates percentage of artists.*

#### 4b) Projected Audience

Our audience is anyone who listens to music, watches television or films, or reads books...

Online Gallery

For most participants, their projected audience was not required to have a

high degree of computer literacy or a strong interest in popular culture. The majority believed their audience would be over the age of 13 and would have a specific interest in the kinds of works they produced, for example many contributors directed their work to a specialised academic audience, produced a specific kind of music or photography, or created professional design work upon which innovative creators could develop their own ideas.

Although contributors emphasised that their audience need not be particularly computer literate, there are restrictions that no contributors noted: access to the internet, knowledge of online resources and searching skills all limit the audience of new media arts to those with fairly good computer skills and internet knowledge and access.

#### **4c) Creative Commons adoption**

Art should be about sharing, not frontlists like bookshops have. If more people use CC [...] people would have a chance to read and see more interesting work.

Fiction Writer

Half of the survey participants said their main reason for adopting CC was practicality; the other 50% opted for 'other' as their main reason. These responses are examined in more detail later in this report. One hundred percent of respondents said that they were also using conventional copyright for some of their work.

Three quarters of contributors had used CC licences on their own work and half have incorporated CC-licensed work by other artists into their own creations. The online survey stipulated that all participants should have used a CC licence as part of their own work in order to take part. This would seem to indicate that some online respondents have released works derived from CC creations under a traditional copyright licence. This is further discussed in the next chapter.

Seventy five percent of participants have used CC work without incorporating it into their own work, for example, by listening to CC-licensed music or reading CC-licensed literature. There appears to be a general feeling among participants that if somebody is 'download[ing] other people's' creations they also 'figure it'd be pretty hypocritical to not let people download' theirs, even if they are not sure of the uptake of their own work.

I license all of my photography on Flickr under CC. I don't see why anyone would want to remix or use them for anything but I frequently use other peoples images for ideas and I would feel a bit rude if I didn't share mine in turn.

Illustrator

This indicates that CC is part of a way of life where people enjoy the access that CC creates to cultural production and in turn are choosing to license their own work similarly. However this was emphatically not the case for a number of participants. One respondent reported

[Having] been involved in projects that insisted on using CC licences – mostly for ideological or fashion reasons ... In this case I use them because I have no option.

Many people had work licensed under CC via such processes. Often people would upload their work onto websites that already used CC or were invited to take place in collaborative projects that were organised under CC. At least one quarter of people have reported this to be one of their primary reasons for releasing work under these licences.

#### **4d) Collaboration**

Sometimes we meet face-to-face, sometimes we co-edit articles on a wiki, sometimes we send the articles via email.

Journalist

Almost half of the artists describe themselves as working alone. Of those who are part of a creative 'hub', the number of people who collaborate online is equal to those who prefer to collaborate by meeting face to face. Very few participants share a studio space. Often artists have worked together to display work in a group exhibition or as part of a group project of limited duration. The collaborative links that form in this situation tend to dissolve when the project period ends. Remixing or sampling of 'found' work was not seen as a form of collaboration by most participants.

Of those who did consider themselves to be working in collaboration, we found that they met with surprising regularity. Often respondents would aim to meet once a week or more; weekends and evenings present opportunities for face-to-face collaboration, discussion and field trips that our participants tend to value. These physical meetings are supported through email communication, the creation of Wikis and file sharing.

Only two respondents who search online for CC licensed material for incorporation in to their own work described this act as collaboration. This demonstrates that thinking about this concept has not kept up with the reality of creating online. Perhaps this indicates that the imagined community lacks the coherence required for participants to see this mode of sharing as a form of collaboration and so conceptions of the meaning of collaboration have not grown to meet the networked digital environment.

#### 4e) Comprehension of Copyright and Creative Commons

Ideally everything would be free but we have to let it not be free for a while so that there's an incentive for artists to create and so they don't get ripped off.

Writer

Most respondents believed that Copyright was created to encourage artists and felt that theoretically it performed a significant function. Creators feel it is important to receive some compensation for others' use of their creative work, whether it was money, publicity or some other form of enrichment. However most artists expressed an ambivalent view: 'Copyright is meant to protect creators interests... but I don't find that true', or 'it ends up supporting big business'. Only one respondent stated unequivocally that he 'like[s] the way that the Copyright system works'. Within the online survey and phone interviews not one artist mentioned that copyright spurs creativity, or helps them securing income. In the focus group this function was alluded to but none provided examples to support their belief.

Artists found it difficult to reconcile their two opposing views of copyright, describing it as a 'double edged sword'. They recognised that it was designed to protect, but were also frustrated by the results of this protection. When asked why they use CC and presented with five choices ranging from economic, political, practical, trendy or other reasons, 50% selected the practical option.

This points towards two possible interpretations. First, the reasons for using CC are very straightforward: the current copyright regime is seen as a nuisance and CC as an effective and practical tool to work around this. Second, and most likely complimentarily, reasons for using CC are rooted in the desire to exploit network effects and to better market creative works. As one DJ and composer explains,

CC means [...] that I can distribute my productions over the web without fear of getting ripped off, whilst still being able to avoid the business structures that leach off genuine creativity.

For many digital artists remixing is core to the vitality, progression and charm of their work. Several participants expressly stated that they wanted their work to be remixed. One magazine we spoke to described their 'wish to make [their] content 'free to share''. Other respondents emphasised that to produce their work they required access to thousands of images, video and music samples.

In addition copyright is interpreted by some respondents as 'too strict' and they see it in its current form as outmoded. While it is not surprising that some users of CC users are antagonistic towards copyright, it is noteworthy that

many seem to feel that copyright goes against their understanding of the purpose of their work. They use CC because it 'keeps their work free'.

Our survey demonstrates a general confusion surrounding copyright and the concept of 'fair use'. 'I'm not sure how it works because copyright is so complicated,' says one designer, 'but I think you can make use of part of other works.' Several artists describe a need to 'raise awareness among artists themselves' about copyright. For new media artists the instability of industries that rely on copyright is producing increasingly strong Digital Rights Management systems (DRM) that take increasing rights from both artists and their consumers. An author describes that, 'the balances are shifting and copyright is overlaid with other controls that artists need to respond to'. A painter pointed out that

Copyright, for a serious artist, is about sales and ownership – you want to make sure that you can actually sell it, that you legally own your work.

It is possible that some creators are making derivative works but are not sure how to release or advertise these works online. This could relate to technological knowledge as much as knowledge about copyright and CC. Some artists do not know where or how they can host or 'post' their creative work for dissemination or do not know how to attach the licence to their own site. Many contributors indicated that they do not properly understand the legal requirements of using CC work.

An issue for many visual artists is that 'the big boys' in the music and movie industries control the debates surrounding copyright. Visual artists feel underrepresented in discussion about mash-ups, remixing, dissemination and sampling, leaving them unsure of their legal position when making derivative or collage works. A photographer pointed out that

Most artists don't even want to be aware of copyright, but it's a very important thing.

The clarifying effect of CC in this case seems to be an important reason for CC adoption as they define in human readable language exactly how a work may be used and distributed. Many described copyright as ineffective in part, trying to protect too wide a range of creators while taking too much control away from them. One music sharing website suggests that licensing work should not

be a top down process. With CC you choose who does what with your work. You need to put the control in the hands of the person making the work.

Few respondents made money from their creative work and those who did emphasised that they made work regardless of financial reward. An author argued

[t]hose who say we need money through a copyright system in order to have a society that produces art don't know what they're talking about. The way people create has nothing to do with money. It's not about financial incentive. It can't be.

There is a proliferation of examples to support this claim, including blogs and wikis where people spend hours contributing their creative work to an online community for free with no expectation of financial reward.

## 5. Conclusion

In the end it is the individual artist who cares most about their work so they need to think about what is most appropriate for the work and be aware and active.  
Painter

Creative people are reluctant to think about copyright while they are in the process of making artworks yet the media noise that has recently surrounded the downloading or reuse of cultural content such as music or images, has left many artists fearful of sampling and remixing existing work or having their own creative work abused. Simultaneously they are nervous about employing open licences, which they fear could reduce the legal protection of their own work. The best explanation for the popularity of CC licences among many of the survey participants appears to be the clarity provided by those licences.

Often the artists that are using CC have chosen to do so almost on instinct. They believe strongly that traditional copyright has not succeeded in providing the promised financial incentives and protection for artists themselves and see CC as a way of limiting negative effects without completely losing control over their work. Although half of the UK creators using CC<sup>14</sup> are choosing to use a 'No Derivative' licence as opposed to the more liberal 'Share Alike', there are increasing numbers of artists who are opting to use CC licensing as opposed to traditional copyright.

However because comprehension of traditional copyright is limited and many artists are fearful of the prospect of legal battles that may ensue from remixing culture, many creative individuals remain uncertain as to how to release their work. They feel unsure as to whether or not they can in fact use a CC licence on their own derivative works and this severely limits their access to a wider audience for their art.

CC licences are being used to provide much needed clarity for a group of people who are under-educated in a field that truly affects their work and their practice. It is telling that 50% of survey respondents described their use of CC as 'practical'. Many of the UK artists interviewed realise that CC licences do not 'undo' copyright, and instead build on it to give artists control over how their work is distributed, accessed and re-used. Many artists want their intellectual property to be protected and want to receive reward for their popular works and, in this light, believe that as a concept copyright is an important legal system. However, negative effects of copyright on their creative practice and the dissemination of their works has lead them to explore the further options that are afforded by the control and clarity that CC provides.

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<sup>14</sup> OpenBusiness Statistics Generator ([www.openbusiness.cc/cc\\_stat/](http://www.openbusiness.cc/cc_stat/)), 17 March 2006.

## **6. Acknowledgements**

This report was produced by OpenBusiness and supported by Arts Council England.

**OpenBusiness** is a platform to share and develop innovative Open Business ideas – entrepreneurial ideas that are built around openness, free services and free access. The two main aims of the project are to build an online resource of innovative business models, ideas and tools, and to publish an *OpenBusiness Guidebook*. For more information, literature and links please visit [www.openbusiness.cc](http://www.openbusiness.cc)

### **This report is published by OpenBusiness**

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## Appendix

### Questions for Online Survey:

1. Please Specify your age.  
a) >20 b)20-25 c)26-35 d)36-45 e)56-55 f)55<
2. Please specify your sex.  
a) Male b) Female
3. Please rate your computer skills.  
a) Terrible b) Bad c) Average d) Quite Good e) Skilled f) Expert
4. For how many years have you been involved with creative work?  
a) 1-2 b) 2-5 c) 5-15 d) 10-15 e) longer
5. How would you describe the audience that you would expect to be interested in your work?
6. Do your work alone, with a single collaborator or as part of a collective or group?  
a) I work alone b) I work with a single collaborator c) I am part of a collective/group
7. If you work with other artists, do you meet occasionally to collaborate, share a physical space or collaborate online?  
a) Meet face to face, b) Share a space c) Collaborate online
8. If you are working with other artists, please describe the process of collaboration in the form of a (daily/monthly) routine.
9. If your work with others involves computers, what kind of technologies facilitate your collaboration?  
(e.g. different versions of a photoshop file, email, wikis, other collaboration platform)
10. If you are working with other artists how did you originally meet each other?
11. Have you ever used a Creative Commons work as the basis for your work?  
a) Yes b) No
12. Have you ever included a Creative Commons work in your work?  
a) Yes b) No
13. [If Yes], Where have you found these CC-licensed works?
14. Have you ever used a CC work without incorporating it into your work?  
(e.g. listened to CC-licensed music)

a) Yes b) No

15. How are you disseminating your work?  
(e.g. email, website etc)

16. How do you publicise your work?  
(e.g. mailing lists, direct email, website, blog etc)

17. Is your creative work your main source of income?  
a) Yes b) No

18. If yes, for how many years has creative work been your main source of income?

19. If not, what is your occupation?

20. Please describe the kind of creative work you are involved with.

21. Are you using Computers at any stage of creating the work?

22. What does Copyright represent for you?

23. Have you ever used a CC Licence?  
a) Yes b) No

24. If yes, what kind of CC licence?

25. How many works have you licenced under CC?  
If possible, please indicate the type of licences used, e.g. three BY-NC CC-EW, two BY CC generic.

26. What kind of works have you licenced under each respective licence?  
Please indicate type of work vs. type of licence. e.g. hi-res image, songs.

27. Why have you chosen these particular forms of CC licences?

28. Why have you chosen to use CC or other open licences?

29. How would you describe your main reason(s) for using CC licence?

30. How did you first hear about CC licences?

31. Are you using or have you ever used any other sort of open Content Licence?  
a) Yes b) No

32. Which licence(s)?

33. Why?

34. If you use traditional copyright for any of your work please describe why.

35. Have you ever used two Licences for the same work?

a)Yes b) No

36. [If Yes]: What kind of licences?

37. Are you using different types of licences for different types of works?

38. How have CC licences contributed to your income? Give a short description

39. Any other comments?

40. Where are you currently living?